

103D CONGRESS  
1ST SESSION

# H. R. 354

To amend the Congressional Budget and Impoundment Control Act of 1974 to provide for the expedited consideration of certain proposed rescissions of budget authority.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. SLATTERY introduced the following bill; which was referred jointly to the Committees on Government Operations and Rules

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## A BILL

To amend the Congressional Budget and Impoundment Control Act of 1974 to provide for the expedited consideration of certain proposed rescissions of budget authority.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Expedited Consider-  
5       ation of Proposed Rescissions Act of 1993”.

6       **SEC. 2. EXPEDITED CONSIDERATION OF CERTAIN PRO-**  
7       **POSED RESCISSIONS.**

8       (a) IN GENERAL.—Part B of title X of the Congres-  
9       sional Budget and Impoundment Control Act of 1974 (2

1 U.S.C. 681 et seq.) is amended by redesignating sections  
2 1013 through 1017 as sections 1014 through 1018, re-  
3 spectively, and inserting after section 1012 the following  
4 new section:

5 “EXPEDITED CONSIDERATION OF CERTAIN PROPOSED  
6 RESCISSIONS

7 “SEC. 1013. (a) PROPOSED RESCISSION OF BUDGET  
8 AUTHORITY.—In addition to the method of rescinding  
9 budget authority specified in section 1012, the President  
10 may propose, at the time and in the manner provided in  
11 subsection (b), the rescission of any budget authority pro-  
12 vided in an appropriations Act. Funds made available for  
13 obligation under this procedure may not be proposed for  
14 rescission again under this section or section 1012.

15 “(b) TRANSMITTAL OF SPECIAL MESSAGE.—

16 “(1) Not later than 3 days after the date of en-  
17 actment of an appropriation Act, the President may  
18 transmit to Congress a special message proposing to  
19 rescind amounts of budget authority provided in  
20 that Act and include with that special message a  
21 draft bill or joint resolution that, if enacted, would  
22 only rescind that budget authority.

23 “(2) In the case of an appropriation Act that  
24 includes accounts within the jurisdiction of more  
25 than one subcommittee of the Committee on Appro-  
26 priations, the President in proposing to rescind

1 budget authority under this section shall send a sep-  
2 arate special message and accompanying draft bill or  
3 joint resolution for accounts within the jurisdiction  
4 of each such subcommittee.

5 “(3) Each special message shall specify, with  
6 respect to the budget authority proposed to be re-  
7 scinded, the matters referred to in paragraphs (1)  
8 through (5) of section 1012(a).

9 “(c) LIMITATION ON AMOUNTS SUBJECT TO RESCIS-  
10 SION.—

11 “(1) The amount of budget authority which the  
12 President may propose to rescind in a special mes-  
13 sage under this section for a particular program,  
14 project, or activity for a fiscal year may not exceed  
15 25 percent of the amount appropriated for that pro-  
16 gram, project, or activity in that Act.

17 “(2) The limitation contained in paragraph (1)  
18 shall only apply to a program, project, or activity  
19 that is authorized by law.

20 “(d) PROCEDURES FOR EXPEDITED CONSIDER-  
21 ATION.—

22 “(1)(A) Before the close of the second day of  
23 continuous session of the applicable House after the  
24 date of receipt of a special message transmitted to  
25 Congress under subsection (b), the majority leader

1 or minority leader of the House of Congress in  
2 which the appropriation Act involved originated shall  
3 introduce (by request) the draft bill or joint resolu-  
4 tion accompanying that special message. If the bill  
5 or joint resolution is not introduced as provided in  
6 the preceding sentence, then, on the third day of  
7 continuous session of that House after the date of  
8 receipt of that special message, any Member of that  
9 House may introduce the bill or joint resolution.

10 “(B) The bill or joint resolution shall be re-  
11 ferred to the Committee on Appropriations of that  
12 House. The committee shall report the bill or joint  
13 resolution without substantive revision and with or  
14 without recommendation. The bill or joint resolution  
15 shall be reported not later than the seventh day of  
16 continuous session of that House after the date of  
17 receipt of that special message. If the Committee on  
18 Appropriations fails to report the bill or joint resolu-  
19 tion within that period, that committee shall be  
20 automatically discharged from consideration of the  
21 bill or joint resolution, and the bill or joint resolu-  
22 tion shall be placed on the appropriate calendar.

23 “(C) A vote on final passage of the bill or joint  
24 resolution shall be taken in that House on or before  
25 the close of the 10th calendar day of continuous ses-

1 sion of that House after the date of the introduction  
2 of the bill or joint resolution in that House. If the  
3 bill or joint resolution is agreed to, the Clerk of the  
4 House of Representatives (in the case of a bill or  
5 joint resolution agreed to in the House of Represent-  
6 atives) or the Secretary of the Senate (in the case  
7 of a bill or joint resolution agreed to in the Senate)  
8 shall cause the bill or joint resolution to be en-  
9 grossed, certified, and transmitted to the other  
10 House of Congress on the same calendar day on  
11 which the bill or joint resolution is agreed to.

12 “(2)(A) A bill or joint resolution transmitted to  
13 the House of Representatives or the Senate pursu-  
14 ant to paragraph (1)(C) shall be referred to the  
15 Committee on Appropriations of that House. The  
16 committee shall report the bill or joint resolution  
17 without substantive revision and with or without rec-  
18 ommendation. The bill or joint resolution shall be re-  
19 ported not later than the seventh day of continuous  
20 session of that House after it receives the bill or  
21 joint resolution. A committee failing to report the  
22 bill or joint resolution within such period shall be  
23 automatically discharged from consideration of the  
24 bill or joint resolution, and the bill or joint resolu-  
25 tion shall be placed upon the appropriate calendar.

1           “(B) A vote on final passage of a bill or joint  
2 resolution transmitted to that House shall be taken  
3 on or before the close of the 10th calendar day of  
4 continuous session of that House after the date on  
5 which the bill or joint resolution is transmitted. If  
6 the bill or joint resolution is agreed to in that  
7 House, the Clerk of the House of Representatives  
8 (in the case of a bill or joint resolution agreed to in  
9 the House of Representatives) or the Secretary of  
10 the Senate (in the case of a bill or joint resolution  
11 agreed to in the Senate) shall cause the engrossed  
12 bill or joint resolution to be returned to the House  
13 in which the bill or joint resolution originated.

14           “(3)(A) A motion in the House of Representa-  
15 tives to proceed to the consideration of a bill or joint  
16 resolution under this section shall be highly privi-  
17 leged and not debatable. An amendment to the mo-  
18 tion shall not be in order, nor shall it be in order  
19 to move to reconsider the vote by which the motion  
20 is agreed to or disagreed to.

21           “(B) Debate in the House of Representatives  
22 on a bill or joint resolution under this section shall  
23 not exceed 4 hours, which shall be divided equally  
24 between those favoring and those opposing the bill  
25 or joint resolution. A motion further to limit debate

1 shall not be debatable. It shall not be in order to  
2 move to recommit a bill or joint resolution under  
3 this section or to move to reconsider the vote by  
4 which the bill or joint resolution is agreed to or dis-  
5 agreed to.

6 “(C) Appeals from decisions of the Chair relat-  
7 ing to the application of the Rules of the House of  
8 Representatives to the procedure relating to a bill or  
9 joint resolution under this section shall be decided  
10 without debate.

11 “(D) Except to the extent specifically provided  
12 in the preceding provisions of this subsection, con-  
13 sideration of a bill or joint resolution under this sec-  
14 tion shall be governed by the Rules of the House of  
15 Representatives.

16 “(4)(A) A motion in the Senate to proceed to  
17 the consideration of a bill or joint resolution under  
18 this section shall be privileged and not debatable. An  
19 amendment to the motion shall not be in order, nor  
20 shall it be in order to move to reconsider the vote  
21 by which the motion is agreed to or disagreed to.

22 “(B) Debate in the Senate on a bill or joint res-  
23 olution under this section, and all debatable motions  
24 and appeals in connection therewith, shall not exceed  
25 10 hours. The time shall be equally divided between,

1 and controlled by, the majority leader and the mi-  
2 nority leader or their designees.

3 “(C) Debate in the Senate on any debatable  
4 motion or appeal in connection with a bill or joint  
5 resolution under this section shall be limited to not  
6 more than 1 hour, to be equally divided between,  
7 and controlled by, the mover and the manager of the  
8 bill or joint resolution, except that in the event the  
9 manager of the bill or joint resolution is in favor of  
10 any such motion or appeal, the time in opposition  
11 thereto, shall be controlled by the minority leader or  
12 his designee. Such leaders, or either of them, may,  
13 from time under their control on the passage of a  
14 bill or joint resolution, allot additional time to any  
15 Senator during the consideration of any debatable  
16 motion or appeal.

17 “(D) A motion in the Senate to further limit  
18 debate on a bill or joint resolution under this section  
19 is not debatable. A motion to recommit a bill or joint  
20 resolution under this section is not in order.

21 “(e) AMENDMENTS PROHIBITED.—No amendment to  
22 a bill or joint resolution considered under this section shall  
23 be in order in either the House of Representatives or the  
24 Senate. No motion to suspend the application of this sub-  
25 section shall be in order in either House, nor shall it be



1 in order in either House to suspend the application of this  
2 subsection by unanimous consent.

3 “(f) REQUIREMENT TO MAKE AVAILABLE FOR OBLI-  
4 GATION.—Any amount of budget authority proposed to be  
5 rescinded in a special message transmitted to Congress  
6 under subsection (b) shall be made available for obligation  
7 on the day after the date on which either House defeats  
8 the bill or joint resolution transmitted with that special  
9 message.

10 “(g) DEFINITIONS.—For purposes of this section—

11 “(1) the term ‘appropriation Act’ means any  
12 general or special appropriation Act, and any Act or  
13 joint resolution making supplemental, deficiency, or  
14 continuing appropriations; and

15 “(2) continuity of a session of either House of  
16 Congress shall be considered as broken only by an  
17 adjournment of that House sine die, and the days on  
18 which that House is not in session because of an ad-  
19 journment of more than 3 days to a date certain  
20 shall be excluded in the computation of any period.”.

21 (b) EXERCISE OF RULEMAKING POWERS.—Section  
22 904 of such Act (2 U.S.C. 621 note) is amended—

23 (1) by striking “and 1017” in subsection (a)  
24 and inserting “1013, and 1018”; and

1           (2) by striking “section 1017” in subsection (d)  
2           and inserting “sections 1013 and 1018”; and

3           (c) CONFORMING AMENDMENTS.—

4           (1) Section 1011 of such Act (2 U.S.C. 682(5))  
5           is amended—

6                   (A) in paragraph (4), by striking “1013”  
7                   and inserting “1014”; and

8                   (B) in paragraph (5)—

9                           (i) by striking “1016” and inserting  
10                           “1017”; and

11                           (ii) by striking “1017(b)(1)” and in-  
12                           serting “1018(b)(1)”.

13           (2) Section 1015 of such Act (2 U.S.C. 685)  
14           (as redesignated by section 2(a)) is amended—

15                   (A) by striking “1012 or 1013” each place  
16                   it appears and inserting “1012, 1013, or  
17                   1014”;

18                   (B) in subsection (b)(1), by striking  
19                   “1012” and inserting “1012 or 1013”;

20                   (C) in subsection (b)(2), by striking  
21                   “1013” and inserting “1014”; and

22                   (D) in subsection (e)(2)—

23                           (i) by striking “and” at the end of  
24                           subparagraph (A);

1 (ii) by redesignating subparagraph  
2 (B) as subparagraph (C);

3 (iii) by striking “1013” in subpara-  
4 graph (C) (as so redesignated) and insert-  
5 ing “1014”; and

6 (iv) by inserting after subparagraph  
7 (A) the following new subparagraph:

8 “(B) he has transmitted a special message  
9 under section 1013 with respect to a proposed  
10 rescission; and”.

11 (3) Section 1016 of such Act (2 U.S.C. 686)  
12 (as redesignated by section 2(a)) is amended by  
13 striking “1012 or 1013” each place it appears and  
14 inserting “1012, 1013, or 1014”.

15 (d) CLERICAL AMENDMENTS.—The table of sections  
16 for subpart B of title X of such Act is amended—

17 (1) by redesignating the items relating to sec-  
18 tions 1013 through 1017 as items relating to sec-  
19 tions 1014 through 1018; and

20 (2) by inserting after the item relating to sec-  
21 tion 1012 the following new item:

“Sec. 1013. Expedited consideration of certain proposed rescissions.”.

22 **SEC. 3. APPLICATION.**

23 Section 1013 of the Congressional Budget and Im-  
24 poundment Control Act of 1974 (as added by section 2)  
25 shall apply to amounts of budget authority provided by

1 appropriation Acts (as defined in subsection (g) of such  
2 section) that are enacted during the One Hundred Third  
3 Congress.

4 **SEC. 4. TERMINATION.**

5       The authority provided by section 1013 of the Con-  
6 gressional Budget and Impoundment Control Act of 1974  
7 (as added by section 2) shall terminate effective on the  
8 date in 1994 on which Congress adjourns sine die.

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